

REMARKS

Claims 1-38 were pending in the application. By this paper, claims 39-43 have been added, and claims 5, 6, 11-17 and 25-31 have been canceled. Claims 1, 19, 20, 32 and 37 have been amended. Therefore, claims 1-4, 7-10, 18-24 and 32-43 are now pending in the application. Reconsideration of the application is requested for at least the reasons that follow.

Notice of Non-Responsive Amendment

The Notice of Non-Responsive Amendment mailed on February 21, 2007 indicated that there was no statement identifying the species upon which the newly added claims read and that the remarks lacked a discussion on the patentability of the newly added claims. Applicants submit that the present Amendment and Reply is fully responsive.

Applicants note that claim 44, which was added in the unentered Amendment filed on November 6, 2006, is not being added in the present Amendment.

New Claims

New claims 39-43 read on elected species I, which is illustrated in Figures 1-12.

Information Disclosure Statement

Applicants are concurrently submitting herewith a new Information Disclosure Statement and respectfully request the Examiner to consider the references cited therein.

Specification

The specification is objected to for failing to adequately identify the concurrently-filed design applications. Applicants have amended the specification to include the serial numbers of the concurrently-filed design applications. Applicants respectfully request withdrawal of the objection.

Drawings

Applicants have amended Figure 6C to correct a minor informality. A replacement drawing sheet is attached.

Allowable Subject Matter

Applicants extend thanks to Examiner Vanaman for the allowance of claims 35 and 36. Applicants also wish to extend thanks to Examiner Vanaman for the indication that claim 24 contains allowable subject matter and that this claim would be allowable if rewritten in independent form.

In order to advance prosecution, claim 24 has been placed in independent form and, therefore, is in condition for allowance.

Rejections

Claims 37 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,435,407 ("Fiordelisi"). Claims 1, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,578,501 ("Moore"). Claims 2, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of U.S. Patent No. 6,626,445 ("Murphy"). Claims 7, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of U.S. Patent No. 5,151,581 ("Krichever"). Claims 10 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of U.S. Patent No. 6,682,030 ("Santoro"). Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of U.S. Patent No. 6,860,494 ("Chisholm"). Claims 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santoro. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Santoro in view of Moore. Claims 5, 6, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of U.S. Patent No. 5,257,767 ("McConnell").

Claims 5 and 6 have been canceled and independent claims 1, 32 and 37 have been amended to include the subject matter of claims 5 and 6.

Each of independent claims 1, 32 and 37, as amended, recite a cart comprising, among other things, a work platform with a laptop platform and a work surface separate from the laptop platform. As now recited in the claims, the laptop platform can be moved in at least one of a forward and rearward direction, and the work surface can be moved in at least one of a leftward and rightward direction (these limitations previously appeared separately in claims 5 and 6).

None of the references discussed above, alone or in combination, teach or suggest such a cart. For example, none of the references, taken together or separately, teach or suggest a cart including a work platform with a laptop platform and a work surface separate from the laptop platform and that “the laptop platform can be moved in at least one of the forward and rearward directions, and wherein the work surface can be moved in at least one of a leftward and rightward direction along an arcuate path that faces the forward direction,” as required by amended claims 1, 32, and 37.

For example, Fiordelisi merely discloses a computerized shopping cart. *See* Fiordelisi at Fig. 1. Fiordelisi does not disclose a cart with a laptop surface and a separate work surface. Murphy merely discloses a surgical console cart. The surgical console cart of Murphy discloses a tool tray 40 and a table 122. The tray 40 can be moved from a stored position to a use position and the table 122 can be moved from a stored position to a use position out of one side of the cart. *See* Murphy at Fig. 3. However, the tray 40 and table 122 of Murphy do not move such that one of the tray or table move in at least one of the forward and rearward directions, and the other of the tray or table move in at least one of a leftward and rightward direction along an arcuate path. The tray 40 and table 122 are each only capable of moving to *one* side or direction, not forward and rearward or leftward and rightward. Moore, as correctly stated in the Office Action, fails to disclose a cart with a shelf that moves in a forward and backward direction or a left and right direction. *See* Office Action at p. 4, lines 27-30. Krichever discloses an optical scanner. *See* Krichever at col. 3, lines 6-30. There is no disclosure in Krichever of a cart with a laptop platform and a separate work surface. Santoro discloses an adjustable workstation. The workstation can be adjusted to change its height, but does not disclose a laptop platform and a separate work surface. *See* Krichever at col. 2, lines 6-11. Chisholm discloses a collapsible cart. The maintenance cart of Chisholm does not include a laptop platform and a separate work surface.

Applicants note that the Office Action rejected claims 5 and 6 by asserting that the platform 24 of McConnell constituted a laptop platform that moves in a forward or rearward direction or a work surface that can move in a left or right direction. McConnell, however, does not provide a cart with a separate laptop platform and work surface as now required by

independent claims 1, 32, and 37. Moreover, there is not motivation for providing such separate items.

The keyboard platform assembly of McConnell is capable of retracting or extending and pivoting about rod 77 or axis 44. *See* McConnell at col. 4, lines 50-61 and col. 6, lines 37-39. However, McConnell only discloses a *single* platform 24 that is capable of moving. *See* McConnell at Figs 2 and 3. Even if the keyboard platform 24 is considered to be a “laptop platform,” McConnell does not disclose a “work surface.” Thus, McConnell fails to disclose a “laptop platform” that is capable of moving in a forward and rearward direction and a separate “work surface” that is capable of moving in a leftward and rightward direction. Therefore, the rejection of independent claims 1, 32, and 37 should be withdrawn.

Claims 2-4, 7-10, 18-23, 33-34, 38 and new claims 39-41 depend from claims 1, 32, or 37 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

Independent claims 42-43 have been added to provide varying claim scope. None of the references teach or suggest the subject matter of claims 42-43.

New claim 42 recites a cart comprising, among other things, a work platform with a work surface and compartments, a base, a height adjustment mechanism, and “a keyless entry system for unlocking compartments on the work platform.” None of the references discussed above, alone or in combination, teach or suggest such a cart including a work platform with a work surface and compartments and a “keyless entry system.” For example, Fiordelisi merely discloses a computerized shopping cart. *See* Fiordelisi at Fig. 1. Fiordelisi does not disclose a “keyless entry system for unlocking compartments on the work platform.” Moore merely discloses a podium. *See* Moore at Fig. 1. Murphy merely discloses a surgical console cart with a drawer 24. *See* Murphy at Fig. 1. There is no disclosure in Murphy of a cart with a “keyless entry system for unlocking compartments on the work platform.” Krichever merely discloses a point of sale system with an optical scanner and does not disclose a cart with a “keyless entry system for unlocking compartments on the work platform.” *See* Krichever at col. 3, lines 6-30. Santoro discloses a height adjustable work station. *See* Santoro at Figs. 1 and 2. The collapsible cart of Chisholm does not disclose a “keyless entry system for unlocking compartments on the work platform.” *See* Chisholm at Fig. 1. McConnell merely

discloses a laptop platform. McConnell does not provide a cart with a “keyless entry system for unlocking compartments on the work platform.” Therefore, new claim 42 should be in condition for allowance.

New independent claim 43 recites a cart comprising, among other things, a work platform, a base, and a height adjustment mechanism for adjusting the height of the work platform that includes an actuator that is “disposed above the compartment and on the work platform.” None of the references discussed above, alone or in combination, teach or suggest such a cart including a height adjustment mechanism for adjusting the height of the work platform that includes an actuator “disposed above the compartment and on the work platform.”

For example, Santoro discloses a height adjustable work station. See Santoro at Figs. 1 and 2. The Examiner contends that the motor 69 of Santoro is an “actuator” and that element 68 refers to a “driver.” The motor 69 is positioned in a leg 14 of the work station and thus, is clearly not positioned above the compartment and on the work platform. Fiordelisi merely discloses a computerized shopping cart and does not include a height adjustment mechanism that includes an actuator “disposed above the compartment and on the work platform.” See Fiordelisi at Fig. 1. Moore merely discloses a podium. See Moore at Fig. 1. The podium of Moore discloses an actuator 50 for a piston. The actuator 50 is positioned below surfaces 37 and 24. Thus, Moore does not disclose a cart with a height adjustment mechanism for adjusting the height of the work platform that includes an actuator “disposed above the compartment and on the work platform.” Murphy merely discloses a surgical console cart with a IV holder 74, 76, 78. See Murphy at Fig. 1. There is no disclosure in Murphy of a cart with a height adjustment mechanism to adjust the height of the work platform that includes an actuator “disposed above the compartment and on the work platform.” Krichever merely discloses a point of sale system with an optical scanner and does not disclose an “actuator.” See Krichever at Fig. 14. The collapsible cart of Chisholm does not disclose an actuator that is “disposed above the compartment and on the work platform.” See Chisholm at Fig. 1. McConnell merely discloses a laptop platform. McConnell does not provide a cart with a height adjustment mechanism for adjusting the

height of the work platform that includes an actuator that is "disposed above the compartment and on the work platform." Therefore, new claim 43 should be in condition for allowance.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application, as amended, is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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